

EXHIBIT 2

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI
Honorable Elizabeth B. Hogan, Judge

BENITO WALKER, ET AL.,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No. 1122-CC09621-01
)	
MONSANTO COMPANY, ET AL.,)	
)	
Defendants.)	

MAY 17, 2016 - TRIAL TRANSCRIPT VOLUME 12B

APPEARANCES

For the Plaintiffs:

Mr. Steven Kherkher
Mr. Allen Stewart
Ms. Amy Gunn
Ms. Erica Slater

For the Defendants:

Mr. James Bennett
Mr. Thomas Goutman
Mr. Adam Spicer
Ms. Robyn Buck

ALICE M. BAKER, CCR #361
OFFICIAL COURT REPORTER
TWENTY-SECOND JUDICIAL CIRCUIT
CITY OF ST. LOUIS

1 A Yes.

2 Q Okay. Finally, let me ask you, are you an
3 expert on the historical standards, industry standards of
4 chemical companies such as Monsanto in the 1930s, the
5 1940s, the 1950s, the 1960s?

6 A I am not an expert.

7 Q Have I ever asked you to look into that to see
8 what is contained in the available literature on that
9 subject?

10 A You've never asked me to do that.

11 Q Have you ever been qualified as an expert at any
12 time in your 30-year history to be giving qualified
13 opinions in a court on the historical standards of
14 corporations in America in the '30s, '40s, '50s, '60s or
15 at any time?

16 A No, I haven't.

17 Q So this book, you own it; right? Biology of
18 Cancer?

19 A I do.

20 Q You were shown this chart, Table 2.8, a Sampling
21 of Bruce Ames' Roster; correct?

22 A That's correct.

23 Q Can you please read what that says right there.
24 Right before that chart.

25 A A diverse set of discoveries led to the model,

CERTIFICATE

I, Alice M. Baker, Certified Court Reporter, do hereby certify that I am an Official Court Reporter for the Circuit Court of the City of St. Louis; that on May 17, 2016, I was present and reported the proceedings had in the case of BENITO WALKER, ET AL., Plaintiffs, vs. MONSANTO COMPANY, ET AL., Defendants, Cause No. 1122-CC09621-01. I further certify that the foregoing pages contain a true and accurate reproduction of the proceedings.

/s/ Alice M. Baker

ALICE M. BAKER, CCR #0361

EXHIBIT 3

1 R. DeGrandchamp

2 March 21, 2018

3 10:02 a.m.

4
5 VIDEOTAPED DEPOSITION OF RICHARD

6 DeGRANDCHAMP, Ph.D., taken by the Defendants, held
7 at 1750 Welton Street, Denver, Colorado, before
8 Melanie L. Giamarco, a Registered Professional
9 Reporter, Registered Merit Reporter, Certified
10 Realtime Reporter and Notary Public of the State of
11 Colorado.
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1 R. DeGrandchamp

2 A. Okay.

3 Q. Now, obviously, this is not the first
4 time that you and other folks on this side of the
5 table have met, correct?

6 A. That's correct.

7 Q. You have testified in a number of
8 depositions and trials; is that correct?

9 A. That's correct.

10 Q. Each time that you testified in a
11 deposition or trial, whether it was in a Monsanto
12 matter or otherwise, you've given an oath just like
13 our reporter has given to you today; is that
14 correct?

15 A. That's correct.

16 Q. And you told the full, complete and
17 honest truth to all the questions that were asked
18 either by counsel opposite Monsanto or otherwise,
19 or by counsel for Monsanto; is that correct?

20 A. I believe so, yes.

21 Q. Would you agree, Doctor, that it would
22 not be a sound scientific method to support your
23 opinions by citing studies that actually do not say
24 what you say they say?

25 A. As a fact or as --

1 R. DeGrandchamp
2 was issued that you don't have?

3 A. I think it was the 29th, about the same
4 date that I finished my report.

5 Q. 29th of January?

6 A. January, yes.

7 MR. LAND: I just want to point out that
8 this most recent exhibit was after that date, so
9 that might not be completely correct.

10 A. I have not -- I don't look at these, so
11 I apologize, but I think there's one additional
12 invoice. I don't -- I think I was mistaken with
13 the answer I just provided you. I think it was the
14 last month, the 29th, which would have been
15 February.

16 Q. Okay. So you billed time between
17 February 1 and March 1?

18 A. That's correct.

19 Q. Do you know how much time?

20 A. I don't.

21 Q. Your invoice would be probably the best
22 record of the amount that you spent; is that
23 correct?

24 A. Up until that billing date. And then
25 I've probably -- again, I apologize. If you want

1 R. DeGrandchamp

2 to go ahead and ask me that question.

3 Q. How much time have you billed since
4 March 1 in connection with this matter?

5 A. Probably about a week and a half,
6 somewhere in that neighborhood, preparing this.

7 Q. A full week and a half?

8 A. Yes.

9 Q. How many hours would that be?

10 A. Sixty hours, maybe.

11 Q. And your billing rate is \$225 an hour?

12 A. That's correct.

13 Q. And did you bill any time to this matter
14 between June 2017 and the date of this first
15 invoice we've marked as Exhibit 6, which is
16 December 18, 2017?

17 A. I don't believe so. I believe there was
18 a -- I'm sorry.

19 Q. That's all right. Go ahead.

20 A. I believe there was a total of three
21 invoices that I collected from Patricia, my wife,
22 in connection with this case. I don't know the
23 dates. She just handed me the invoices and said,
24 "This is what I sent out," so . . .

25 Q. In connection with the preparation of

1 R. DeGrandchamp

2 companies belonged to that collectively put
3 together guidelines for industry practice. I'm
4 aware of those. I am not aware of any formal
5 agreement that companies agreed to sign and abide
6 by their rules. I do know that the -- I think I
7 provided a couple documents. I think the
8 organization was Industrial Hygienists Association.

9 Q. Where in your report do you refer to any
10 written standard or guideline for members of the
11 chemical industry as to how or under what
12 circumstances to conduct carcinogenicity testing
13 from the '30s to '60s?

14 A. Oh, now you're getting specific. None,
15 no.

16 Q. And as you sit here, it's true that you
17 can't identify any such document; is that correct?

18 A. Specific for cancer testing?

19 Q. Yes.

20 A. No.

21 Q. Correct?

22 A. Yes. I'm sorry.

23 Q. It's true, Doctor, that you have never
24 been qualified as an expert to be giving qualified
25 opinions in a court on the historical standards of

1 R. DeGrandchamp

2 two dates, reprinted, is that it, 1962? Yes.

3 Q. All right. It also says "obsolete."

4 A. Yeah. What's . . .

5 Q. You wouldn't rely on an obsolete
6 document, would you?

7 A. Ah, that's a tricky, question.

8 Q. Would you or would you not?

9 A. It depends on what the definition of
10 "obsolete" is.

11 Q. Wow.

12 A. Am I being too cagey?

13 Q. I guess a jury can decide that.

14 A. I do think -- just to clarify, I think
15 this was the cover page. It looks somewhat
16 familiar. So if you take me through this, you'd
17 need to let me read whatever, because I don't
18 recall this document.

19 Q. Take a look page 16. It's a section of
20 this brochure entitled "Aroclors in Special Product
21 Formulations."

22 A. Okay, mm-hmm.

23 Q. All right? And on the next page it
24 reads, "Aroclor 5460 and 1254 act as vapor
25 suppressants"; do you see that?

1 R. DeGrandchamp

2 A. I do.

3 Q. Then it reads, "The United States
4 Department of Agriculture scientists reported that
5 the inclusion of from 5 to 25 parts per hundred by
6 weight of Aroclor increased the effective kill-life
7 of a lindane spray up to 10 times"; do you see
8 that?

9 A. Yes, I do.

10 Q. And then it goes on. "A painted or
11 metallic surface sprayed with certain chlorinated
12 insecticides fortified with Aroclor will remain
13 toxic to flies, ants, roaches, silverfish up to two
14 to three months."

15 Again, it refers to the application onto
16 painted or metallic surfaces, correct?

17 A. It doesn't specify what those surfaces
18 are, but you are correct, it pertains to surfaces.

19 Q. Are you aware of crops ever being
20 painted or having a metallic surface?

21 A. Am I aware of crops?

22 Q. Right.

23 A. If you have a silo, I -- do you paint
24 the inside of a silo where you store the corn?

25 Q. Are crops metallic or painted?

1 R. DeGrandchamp

2 in the Hartwell compendium are polycyclic aromatic
3 hydrocarbons?

4 A. I would not be able to.

5 Q. What is a heterocyclic compound?

6 A. You're describing the same thing. As I
7 just mentioned, PAHs are polyaromatic hydrocarbons.
8 Sometimes we slide a "cyclic" in there. Cyclic
9 means you're talking about the -- what you call
10 condensed phenyl rings. Those are cyclical
11 compounds.

12 Q. PAHs are cyclical compounds, too,
13 correct?

14 A. Yes. That's what I just described.

15 Q. And how many chemicals within the
16 Hartwell compendium are characterized as
17 heterocyclic compounds?

18 A. As I mentioned, I don't -- or as I just
19 answered, I don't know all the chemicals.

20 Q. Would you be able to refute the
21 observation that, together, the polycyclic aromatic
22 hydrocarbons and these heterocyclic compounds make
23 up about 61 percent of the compounds identified in
24 the Hartwell compendium?

25 A. I have no opinion.

1 R. DeGrandchamp

2 Q. And heterocyclic compounds, like
3 polycyclic aromatic hydrocarbons, were already
4 known by the 1930s to cause cancers in humans,
5 correct?

6 A. By 1930?

7 Q. By the '30s.

8 A. Well, you said -- did you -- I don't
9 want to be per -- the date. Ichikawa and Yamaguchi
10 were the first to apply coal tar. They knew
11 something was in coal tar that was causing the
12 cancer. That was early 1930. After that, yes. By
13 1940, let's say, it was known these compounds were
14 carcinogens.

15 Q. Aniline dyes were known by the 1930s to
16 cause cancers in humans, correct?

17 A. Azo dyes were known in Germany to cause
18 cancer. It was well-known. I'd have to refer to
19 the Hueper study, if you have that.

20 Q. Do you know what an azo structure is?

21 A. Yes.

22 Q. What is it?

23 A. It's a phenyl -- it's an attached phenyl
24 ring with two nitrogen atoms attached to either
25 side.

1 R. DeGrandchamp

2 Q. All right. Butter yellow is an example
3 of an aniline dye?

4 A. Yes.

5 Q. Butter yellow was known by the 1930s to
6 cause cancers in humans?

7 A. I believe so.

8 Q. Would you agree -- strike that.

9 Do you have any reason to refute the
10 observation that almost 40 of the 696 compounds
11 listed in Hartwell are aniline dyes?

12 A. I have no opinion.

13 Q. What is an aromatic aniline?

14 A. That -- we just talked about that. An
15 amine is a nitrogen-containing compound.

16 Q. Okay. So the Hueper study, for example,
17 was an amine-related compound, correct?

18 A. That's correct.

19 Q. And it was known by the 1930s that those
20 amine-related compound were associated with human
21 cancers?

22 A. It was known 30 years prior to that.
23 That -- and let me clarify. It was known prior --
24 many years before that that some of azo dyes were
25 carcinogens.

REPORTER'S CERTIFICATE

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

I, MELANIE L. GIAMARCO, do hereby certify that I am a Registered Professional Reporter and Notary Public within the State of Colorado; that previous to the commencement of the examination, the deponent was duly sworn by me.

I further certify that this deposition was taken in machine shorthand by me at the time and place herein set forth, that it was thereafter reduced to typewritten form, and that the foregoing constitutes a true and correct transcript of the proceedings had.

I further certify that I am not employed by, related to, nor of counsel for any of the parties herein, nor otherwise interested in the result of the within litigation.

In witness whereof, I have affixed my signature this 2nd day of April, 2018.

Melanie L. Giamarco, CSR RPR CRR

My commission expires: August 21, 2021.

Notary ID: 20014025991

EXHIBIT 4

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT 3

HON. J. STEPHEN CZULEGER, JUDGE

4
5 ROSLYN DAUBER AND)
JOHN DI COSTANZO,)

6)
7 PLAINTIFFS,)

8 VS.)

9 MONSANTO COMPANY, ET AL.,)

10 DEFENDANTS.)
11)

CASE NO. BC483342

12 REPORTER'S TRANSCRIPT OF PROCEEDINGS

13 MONDAY, MARCH 14, 2016

14 P.M. SESSION

15 APPEARANCES OF COUNSEL:

16 FOR PLAINTIFFS:

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26 (APPEARANCES CONTINUED ON NEXT PAGE.)

27 MARK SCHWEITZER, CSR, CRR, RPR
OFFICIAL PRO TEM COURT REPORTER
28 LICENSE NO. 10514
213-663-3494

1 Q. Would you agree with me there were thousands of
2 chemicals on the market in 1939?

3 A. The number I use in my course is 80,000 today,
4 but I don't know when the development of all those chemicals
5 occurred in terms of manufacturing. But I assume there was an
6 explosion back then.

7 Q. Doctor, would you agree that certainly all the
8 chemicals that were available on the market in 1939 had not
9 been tested for cancer?

10 A. Again, counselor, I don't know how many
11 chemicals -- I assume there were more than 700 chemicals. I
12 don't know the number. I didn't look for that information.

13 Q. So you don't know what the percentage is of all
14 the chemicals on the market that were actually tested for
15 cancer?

16 A. No, I don't.

17 Q. Now, the Hartwell compendium, it lists a bunch
18 of chemicals that were tested, but it doesn't tell you why
19 those chemicals were tested, does it?

20 A. The Rhodes document does that you cited.

21 Q. The Hartwell compendium does not identify why
22 those chemicals were tested for cancer, correct?

23 A. I don't know the answer to that question.

24 Q. All right. Well, let's take a step back.
25 About 200 of the chemicals listed in the Hartwell compendium
26 were polycyclic compounds, correct?

27 A. Yes.

28 Q. PAH, as we kind of know them today?

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT 3 HON. J. STEPHEN CZULEGER, JUDGE
4
5 ROSLYN DAUBER AND)
6 JOHN DI COSTANZO,)
7 PLAINIFFS,) CASE NO. BC483342
8 VS.)
9 MONSANTO COMPANY, ET AL.,)
10 DEFENDANTS.)
11 _____

12
13
14 I, MARK SCHWEITZER, OFFICIAL COURT REPORTER PRO TEM
15 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF
16 LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT,
17 DATED MARCH 14, 2016, P.M. SESSION, COMPRISES A FULL, TRUE,
18 AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE
19 ABOVE-ENTITLED CAUSE.

20 DATED THIS 14TH DAY OF MARCH, 2016.

21
22 /S/ MARK SCHWEITZER
23 MARK SCHWEITZER, RPR, CRR, CSR NO. 10514
24
25
26
27
28

EXHIBIT 5

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS CITY

BENITO WALKER, et al.,

Plaintiffs,

vs.

MONSANTO COMPANY, et al.

Defendants.

CAUSE NO.

1122-CC-9621-01

VIDEOTAPED DEPOSITION OF

RICHARD DeGRANDCHAMP, PhD

Denver, Colorado

April 14, 2016

Reported by:

MARGIE R. DAUSTER, RMR, CRR

JOB NO. 106240

1
2
3
4
5 APRIL 14, 2016

6 9:15 A.M.
7

8 Videotaped Deposition of RICHARD

9 DeGRANDCHAMP, PhD, held at the offices of Husch
10 Blackwell LLP, Wells Fargo Center, Suite 4700,
11 Denver, Colorado 80203, before Margie R. Dauster,
12 Registered Merit Reporter, Registered Professional
13 Reporter, Certified Realtime Reporter, and Notary
14 Public of the State Colorado.
15
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1 DeGrandchamp, PhD

2 A. I haven't -- I haven't looked into
3 that. I mean, I -- I have no opinion on that.

4 Q. Do you know which lymphomas express
5 CD47?

6 A. I have no opinion. I -- I --

7 MR. KHERKHER: Stop. You answered the
8 question. Let's go. You're fine.

9 Q. That's fine.

10 How many products -- chemical products
11 did DuPont manufacture in the 1930s?

12 A. No idea.

13 Q. How many were tested for cancer by
14 DuPont? How many of DuPont's products --
15 chemical products manufactured in the 1930s did
16 DuPont test for cancer?

17 A. I don't know how many products they
18 tested. My opinion is based on that -- that
19 textbook or the book.

20 Q. Where is the book?

21 A. The Haskell.

22 I don't know. I brought it to trial
23 once and it --

24 Q. Do you have the book?

25 A. It disappeared. No. I purchased it

1 DeGrandchamp, PhD

2 Q. Well --

3 A. They could not produce bladder cancer
4 in rats and mice. That was -- so what I don't
5 want you to do is twist the purpose of that
6 slide. I do not have an opinion on what
7 chemicals DuPont tested. But their goal was to
8 test all products to protect the public and
9 their employees. That --

10 Q. Is -- is the only chemical product you
11 can identify that DuPont tested for cancer in
12 the 1930s azo-dyes?

13 A. That -- that's all I've investigated,
14 yes. That's the extent of my --

15 Q. Have you identified any chemical
16 product manufactured by DuPont in the 1940s that
17 they tested for cancer?

18 A. I have no opinion.

19 Q. How many products did DuPont
20 manufacture in the 1940s?

21 A. Same answer.

22 Q. How about in the 1950s? How many
23 chemical products did DuPont manufacture in the
24 1950s?

25 A. Same answer.

1 DeGrandchamp, PhD

2 Q. And how many did DuPont test for
3 cancer in the 1950s?

4 A. I have no opinion.

5 Q. How about Dow? How many products did
6 Dow manufacture in the 1930s?

7 A. I have no opinion. I don't know.
8 They said they tested -- their first cancer test
9 was on that slide, and I could not find that.
10 Many of these companies have proprietary
11 information. They don't want to reveal what
12 they're doing. But they were certainly proud
13 that they had completed their first long-term
14 cancer study in a very early time point.

15 Q. And you don't know what that product
16 is; correct?

17 A. I looked. And, again, many
18 companies -- well, yes or no. Yes, I -- I do
19 not know.

20 Q. All right. How many chemical products
21 did Dow manufacture or process in the 1930s?

22 A. I do not know.

23 Q. And what percent of those products did
24 Dow test for cancer in the 1930s?

25 A. I do not know.

1 DeGrandchamp, PhD

2 Q. How many chemical products did Dow
3 manufacture in the 1940s?

4 A. Don't know.

5 Q. What percentage of those chemicals did
6 it test for cancer in the 1940s?

7 MR. KHERKHER: Argumentative.

8 A. Same answer.

9 Q. Can you identify one chemical that Dow
10 manufactured in the 1940s that it tested for
11 cancer?

12 A. No.

13 Q. How about in the 1950s?

14 A. No.

15 Q. We've talked about PFOA/PFOS.

16 A. Yes.

17 Q. And you left open -- I don't mean to
18 mischaracterize your testimony. But we talked
19 whether or not Dow and DuPont tested PFOS or
20 PFOA for cancer before it marketed those
21 products.

22 Do you know the answer to the question
23 whether those were tested for cancer before PFOS
24 and PFOA were marketed?

25 A. Do I know if they conducted toxicity

C E R T I F I C A T E

STATE OF COLORADO)

) ss.

COUNTY OF LARIMER)

I, MARGIE R. DAUSTER, a Notary Public
within and for the State of Colorado, do hereby
certify:

That RICHARD DeGRANDCHAMP, PhD, the
witness whose deposition is hereinbefore set
forth, was duly sworn by me and that such
deposition is a true record of the testimony
given by such witness.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of April, 2016.

MARGIE R. DAUSTER, RMR, CRR

EXHIBIT 6

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
 TWENTY-FIRST JUDICIAL CIRCUIT
 BEFORE THE HONORABLE STEVEN H. GOLDMAN

SYDELL DUBLIN, et al.,)	
)	
Plaintiffs,)	
)	Cause No. 10SL-CC03822
vs.)	
)	Division 12
MONSANTO CO., et al.,)	
)	
Defendants.)	

=====

REPORTER'S TRANSCRIPT OF PROCEEDINGS
 VOLUME 10
 JUNE 19, 2015
 Session B

Cont'd Cross-Examination of Dr. DeGrandchamp
 Reported by: Linda M. Dattilo, RPR, CCR

=====

For the Plaintiff:	For the Defendants:
Allen Stewart, P.C.	White & Williams
Mr. Allen Stewart	Mr. Thomas M. Goutman
Mr. Scott R. Frieling	
Mr. Steve Baughman Jensen	Husch Blackwell
	Ms. Robyn D. Buck
Williams, Kherkher	Mr. Adam Miller
Mr. Steven J. Kherkher	

1 to cancer testing.

2 A. Define paradigm.

3 Q. I'm sorry. That was argumentative.

4 MR. FRIELING: It most certainly
5 was.

6 MR. MILLER: Sustained. (Laughter.)

7 MR. FRIELING: I agree.

8 MR. MILLER: I will rephrase.

9 THE COURT: Go ahead.

10 Q. (BY MR. MILLER) Let's talk about
11 DuPont. Now DuPont was making a lot of products at
12 the time in the 1930's, do you agree with that?

13 A. I don't know anything about the
14 manufacturing operation.

15 Q. Can you tell this jury whether DuPont
16 was conducting a two-year cancer bioassays on every
17 product it made?

18 A. Dow or DuPont? Which one?

19 Q. DuPont.

20 A. Were they conducting cancer studies on
21 every compound? No. well, I'm not certain. I do
22 not know.

23 Q. All right. Now you do know that DuPont
24 was conducting some cancer assays on azo dyes?

25 A. That's correct.

1 A. And that's why they didn't have to
2 conduct animals. They were looking for the antidote.
3 They were looking for a treatment, so they had
4 developed an animal model to do that, and that's why
5 they conducted the animal studies.

6 Q. Let's circle back. The animal studies
7 were being conducted in part because they already
8 knew that the azo dyes were causing a problem in
9 their workers?

10 A. The distinction I'm trying to make is
11 you don't conduct animal studies to confirm human
12 cancers. There's a very specific reason. So I think
13 you're intimating at least that they were trying to
14 confirm human studies that they already knew was part
15 of the -- This had been known for 20 years.

16 Q. That's the point. They knew that these
17 azo dyes were causing cancers in humans for 20 years
18 before they started doing the animal studies?

19 A. Right.

20 Q. That's the point. Now let's talk about
21 Dow. Can you tell me the products Dow was conducting
22 cancer tests on?

23 A. They did not publish those studies.

24 Q. You looked at a website and you couldn't
25 found out what Dow was doing?

EXHIBIT 7

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT 3

HON. J. STEPHEN CZULEGER, JUDGE

4
5 PAUL BROWNLEE, FRED STEELE and)
ARUTYUN KARABADZHAKYAN,)

6 PLAINTIFFS,)

7 vs.)

8 MONSANTO COMPANY, ET AL.,)

9 DEFENDANTS.)
10 _____)

SUPERIOR COURT
CASE NO. BC 497582, ETC

11
12 REPORTER'S TRANSCRIPT OF PROCEEDINGS

13 Monday, April 23, 2016

14 A.M. Session

15 APPEARANCES OF COUNSEL:

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25
26 (Appearances continued on next page.)

27
28 DAVID A. SALYER, CSR, RMR, CRR
Official Pro Tem Court Reporter
License No. 4410

1 Q. And you're familiar with a 1938 paper that he
2 published entitled "Experimental Production of Bladder Tumors
3 in Dogs by Administration of Beta Naphthalene"?

4 A. Beta?

5 Q. I may have to spell it out. I'm sorry, there's
6 a typo. Sorry, yes, beta. Beta naphthalene.

7 A. Naphthalene, yes.

8 Q. That study was basically on something called an
9 azo dye, correct?

10 A. That's correct.

11 Q. By the time he began that study in the '30s, it
12 was well known that azo dyes were causing cancers in the
13 workforce, right?

14 A. Yes.

15 Q. So the trigger for that study that he did was an
16 observation that azo dyes were causing cancer to workers, and
17 therefore a study was done?

18 A. No. I would disagree with the trigger.

19 He was trying to develop an antidote.

20 It was already known that that particular chemical
21 caused human cancers. He was trying to -- he was trying to
22 develop an animal model to help his workers and he couldn't
23 produce it in rats or mice.

24 Q. That's the point, though, is that the first step
25 in the sequence that led to this study was that workers were
26 having an increased incidence of cancer from exposure to azo
27 dyes, correct?

28 A. Well, again, the purpose of this study was not

1 intended to investigate the workers.

2 Q. I'm not really asking the purpose. I'm asking
3 you what was the first -- he's obviously not going to do a
4 study -- he is studying azo dyes because it causes cancer in
5 workers?

6 A. He studied to develop an antidote. That's the
7 purpose of his study.

8 But the workers were developing cancer prior to that,
9 so -- I would agree that the workers, that was already known.

10 Q. That's all I'm trying to establish.

11 A. Oh, okay.

12 Q. Thank you, Doctor.

13 And you don't know of any signal or trigger in the
14 '30s, '40s or '50s coming from Monsanto's workforce where
15 Monsanto workers making PCBs had excess cancers outside the
16 background level, do you?

17 A. I'm not aware of any studies -- cancer
18 studies no.

19 Q. You're aware that General Electric,
20 Westinghouse, a company called National Cash Register, a
21 multitude of other companies were using PCBs in the '30s, '40s
22 and '50s, correct?

23 A. I was not asked to look at the human
24 epidemiology for this. I was asked to restrict my expertise
25 to toxicology.

26 Q. In any event, for whatever reason, you are not
27 aware, as you sit here today, having spent 25 years of your
28 life that you told us Friday dedicated to PCBs, you're not

EXHIBIT 8

Page 1

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Case No.: BC480068

ANNA MONTGOMERY,
Plaintiff,

vs.

MONSANTO CO.; SOLUTIA INC.; PHARMACIA CORP.;
PFIZER, INC.; SOUTHERN CALIFORNIA GAS CO.;
and DOES 1-350 Inclusive,
Defendants.

AND

MISSOURI CIRCUIT COURT
TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY

Cause No.: 12SL-CC-01497
Div. 16

LESLIE HEARON, et al.,
Plaintiffs,

v.

MONSANTO COMPANY, et al.,
Defendants.

VIDEOTAPED DEPOSITION OF:
RICHARD DEGRANDCHAMP, Ph.D.

December 5, 2014

Richard DeGrandchamp, PhD

December 5, 2014

Page 3

Pursuant to notice and the California Code of Civil Procedure, the videotaped deposition of RICHARD DEGRANDCHAMP, Ph.D., called by Defendants was taken on Friday, December 5, 2014, commencing at 8:58 a.m., at 1700 Lincoln Street, Suite 4700, Denver, Colorado, before Petina Falk, Registered Professional Reporter and Notary Public for the State of Colorado.

I N D E X

DEPOSITION OF RICHARD DEGRANDCHAMP

EXAMINATION BY:	PAGE
Mr. Jensen	206, 214
Mr. Miller	10, 210

Richard DeGrandchamp, PhD
December 5, 2014

Page 211

1 scientific literature where a scientist has
2 expressed the opinion that to a reasonable degree
3 of scientific probability had a bioassay been
4 conducted in the 1930s, '40s, or '50s using the
5 technology and the protocols then in existence
6 cancer would have been found using PCBs?

7 **A I have not seen that.**

8 Q Okay. Have you seen anywhere in the
9 medical or scientific literature that any
10 recommendation had been made either by a
11 scientist, whether he be a toxicologist,
12 epidemiologist, or public health official,
13 recommend to Monsanto Company or the major users
14 of polychlorinated biphenyls that they conduct a
15 cancer bioassay in the '30s, the 1940s, the
16 1950s?

17 **A I haven't looked for that.**

18 Q Okay. Have you seen anywhere in the
19 medical or scientific literature where an excess
20 of cancers had been experienced in occupational
21 cohorts that were either manufacturing PCBs or
22 using them day in and day out in their
23 manufacturing processes?

24 **A No.**

25 Q You had said that if a study had been

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Richard DeGrandchamp, PhD
December 5, 2014

Page 216

1 STATE OF COLORADO)

2) ss. REPORTER'S CERTIFICATE

3 COUNTY OF DENVER)

4 I, Petina Falk, do hereby certify that I
5 am a Registered Professional Reporter and Notary
6 Public within the state of Colorado; that previous
7 to the commencement of the examination, the
8 deponent was duly sworn to testify to the truth.

9 I further certify that this deposition
10 was taken in shorthand by me at the time and place
11 herein set forth, that it was thereafter reduced
12 to typewritten form, and that the foregoing
13 constitutes a true and correct transcript.

14 I further certify that I am not related
15 to, employed by, nor of counsel for any of the
16 parties or attorneys herein, nor otherwise
17 interested in the result of the within action.

18 In witness whereof, I have affixed my
19 signature this 12th day of December, 2014.

20 My commission expires November 2, 2017.

21
22 _____
23 Petina Falk, RPR
24 216 - 16th Street, Suite 600
25 Denver, Colorado 80202

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EXHIBIT 9

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI
Honorable Elizabeth Hogan, Judge

BENITO WALKER, ET AL.,)
)
 Plaintiffs,)
)
v.) No. 1122-CC09621-01
)
)
MONSANTO COMPANY, ET AL.,)
)
 Defendants.)

MAY 17, 2016 - TRIAL TRANSCRIPT VOLUME 12A

Appearances

For the Plaintiffs:

Steven Kherkher
Allen Stewart
Erica Slater

For the Defendants:

James Bennett
Thomas Goutman
Robyn Buck
Adam Spicer

SHERRY GANTNER, CCR #839, CSR, RPR
OFFICIAL COURT REPORTER
CITY OF ST. LOUIS
TWENTY-SECOND JUDICIAL CIRCUIT

1 to laboratory work now?

2 Q. Yes.

3 A. Yes, laboratory.

4 Q. Isn't it true that you've never done a study
5 looking at something called COX-2 in animals
6 administered PCBs?

7 A. That's correct.

8 Q. Am I also true that you haven't done a study
9 looking at telomere lengths and leukocytes?

10 A. That's correct.

11 Q. Am I also true that you have not conducted
12 any of the cellular studies that you described to the
13 jury? Is that correct?

14 A. That's correct.

15 Q. Now, you are also here to talk about
16 two-year cancer tests, right?

17 A. That's correct.

18 Q. Am I correct, sir, that you have not
19 yourself conducted from start to finish a two-year
20 cancer study?

21 A. Can I just ask for clarification? By myself
22 a two-year study?

23 Q. My question is simply this: Is it true that
24 you have not yourself conducted from start to finish a
25 two-year cancer study?

1 A. That's correct.

2 Q. Am I correct, sir, that you have never been
3 personally involved in conducting any animal tests
4 involving PCBs?

5 A. That's correct.

6 Q. Am I also correct that when we first took
7 your deposition in August of 2014, you had not
8 reviewed any of the modern animal cancer tests for
9 PCBs, correct?

10 A. Not for this case, no, that's correct.

11 Q. You had not as of August of 2014?

12 A. Not for this case, that's correct.

13 Q. Am I correct that when we took your
14 deposition again in December of 2014, you still had
15 not reviewed all of the chronic bioassays for Aroclors
16 and PCBs?

17 A. Not all of them, no.

18 Q. Doctor, am I also correct you showed a slide
19 about the NTP studies? Remember that?

20 A. Yes, I do.

21 Q. And you referred to the NTP studies as the
22 gold standard?

23 A. Yes.

24 Q. And they were conducted in 2006 and 2010,
25 some time ago?

1 Q. Okay. So we'll take that off. So DuPont
2 was not testing azo dyes for cancer in the 1930s?

3 A. They were trying to develop cancer in order
4 to develop an antidote for their workers, yes.

5 Q. Okay. So you can't name any cancer studies
6 that DuPont did in the '30s, '40s, '50s or '60s,
7 correct?

8 A. That's correct, other than --

9 Q. You mentioned that you don't know how many
10 chemicals Dow made in the '30s, '40s, '50 or '60s,
11 correct?

12 A. That's correct.

13 Q. At the end of the day, sir, you don't know
14 what chemicals, if any, Dow was testing for cancer in
15 the '30s, '40s, or '50s or under what circumstances
16 any such tests were prompted, right?

17 A. That's correct.

18 Q. Now, I'd like to talk with you a little bit
19 about this Hartwell compendium. And this is --

20 MR. GOUTMAN: Has this document been moved
21 into evidence?

22 MR. STEWART: It has.

23 MR. GOUTMAN: Thank you.

24 Q. (By Mr. Goutman) It's P-289. And just to
25 orient the jury, this is a publication that came out

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CERTIFICATE

I, Sherry L. Gantner, Certified Court Reporter, do hereby certify that I am an official court reporter for the Circuit Court of the City of St. Louis; that on May 17, 2016, I was present and reported all the proceedings had in the case of BENITO WALKER, ET AL., Plaintiffs, vs. MONSANTO COMPANY, ET AL., Defendants, Cause No. 1122-CC09621-01.

I further certify that the foregoing pages contain a true and accurate reproduction of the proceedings.

/s/ Sherry Gantner

Sherry L. Gantner, CCR 839
RPR, CSR (IL and MO)

TRANSCRIBED: May 17, 2016